



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence for Application No. 10/582,151 is being deposited with the United States Postal Service, First Class postage paid, and is addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria VA 22313-1450, on April 2, 2007.

*Thomas J. Burger* 4/2/07  
Thomas J. Burger Reg. No. 32,662 Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/582,151  
In re: application of: Alexander Solntsev and Holger Bammann  
Filed: June 8, 2006  
Group Art Unit: 3744  
Confirmation No.: 8838  
For: Cooling Air Supply For The Cooling Of Different Systems Requiring  
Cooling Air In An Aircraft

Cincinnati, Ohio 45202

April 2, 2007

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTION OF INCONSISTENCY, OR CLARIFICATION**

The Notice of Acceptance of Application Under 35 U.S.C. § 371 and 37 CFR 1.495 (the "Acceptance Notice"), indicates that the Power of Attorney has been received. In contrast, the Filing Receipt states that there is no Power of Attorney. The pertinent document submitted with the initial filing was entitled "Declaration and Power of Attorney for Patent Application," and it did in fact include a paragraph entitled "Power of Attorney." Nonetheless, the paragraph did not expressly identify the law firm Wood, Herron & Evans, nor the undersigned attorney. It did not identify anyone.

The undersigned respectfully requests a correction of either the Filing Receipt or the Acceptance Notice to clear up this inconsistency.

Relevant to this issue, it is noted that in filing this application, the law firm Wood, Herron & Evans ("WHE"), the patent practitioners associated with Customer Number 26,875, and particularly Thomas J. Burger, Registration No. 32, 662, acted on behalf of the named inventors, even though the body of the "Declaration And Power of Attorney For Patent Application" form that was signed does not expressly identify WHE or Thomas Burger by name. Rule 1.34, entitled "Acting In a Representative Capacity," is applicable here. This rule is reproduced below:

(a) When a patent practitioner acting in a representative capacity appears in person or signs a paper in practice before the United States Patent and Trademark Office in a patent case, his or her personal appearance or signature shall constitute a representation to the United States Patent and Trademark Office that under the provisions of this subchapter and the law, he or she is authorized to represent the particular party on whose behalf he or she acts. In filing such a paper, the patent practitioner must set forth his or her registration number, his or her name and signature. Further proof of authority to act in a representative capacity may be required.

Moreover, in filing this application WHE acted on the instructions of the German patent firm Wuesthoff & Wuesthoff, which acted with the legal authority of the applicants and the owner of this application, via a Power of Attorney under German law. This German firm delegated to WHE a subset of that authority, i.e., the subset corresponding to this U.S. patent application.

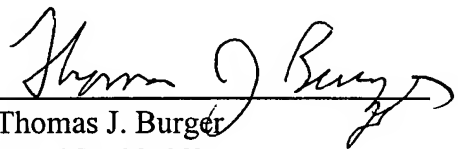
Accordingly, there should be no reasonable question as to WHE's legal authority to act on behalf of these applicants relative to this U.S. patent application. For that reason it would seem that the best resolution of the discrepancy would be for the USPTO to correct the Filing Receipt to reflect the Power of Attorney as:

"The patent practitioners associated with Customer Number 26,875."

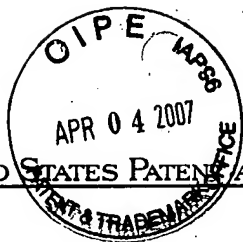
Nonetheless, if the examiner has any questions or concerns about this issue, he or she is requested to contact the undersigned attorney by telephone, to address those questions or concerns. If it becomes necessary to submit a supplemental Power of Attorney form to reaffirm that Wood, Herron & Evans represents these inventors before the USPTO relative to this application, we would be happy to do that.

Please charge any additional surcharge or filing fee or credit any overpayment to Deposit Account Number 23-3000.

Respectfully submitted,  
Wood, Herron & Evans, L.L.P.

  
Thomas J. Burger  
Reg. No. 32,662

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2700 Carew Tower  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/582,151	Alexander Solntsev	WUE-59

INTERNATIONAL APPLICATION NO.
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PCT/EP04/14845

I.A. FILING DATE	PRIORITY DATE
12/30/2004	12/30/2003

Thomas J. Burger  
Woods Herron & Evans  
2700 Carew Tower  
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CONFIRMATION NO. 8838

371 ACCEPTANCE LETTER



\*OC000000022527700\*

Date Mailed: 03/05/2007

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>06/08/2006</u>	<u>06/08/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/08/2006
- Copy of the International Search Report filed on 06/08/2006
- Preliminary Amendments filed on 06/08/2006
- Information Disclosure Statements filed on 06/08/2006
- Oath or Declaration filed on 06/08/2006
- Request for Immediate Examination filed on 06/08/2006
- U.S. Basic National Fees filed on 06/08/2006
- Priority Documents filed on 06/08/2006
- Power of Attorney filed on 06/08/2006
- Specification filed on 06/08/2006
- Claims filed on 06/08/2006

- Abstracts filed on 06/08/2006
- Drawings filed on 06/08/2006

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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PAULETTE R KIDWELL  
Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/582,151	06/08/2006	Holger Bammann	WUE-59

Thomas J. Burger, Esq.  
Woods Herron & Evans, LLP  
2700 Carew Tower  
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CONFIRMATION NO. 8838

RECEIVED  
2007 MAR -5 PM 1:02  
WOOD. HERRON & EVANS  
Date Mailed 02/22/2007

### NOTICE OF NEW OR REVISED PROJECTED PUBLICATION DATE

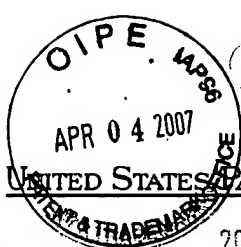
The above-identified application has a new or revised projected publication date. The current projected publication date for this application is 05/24/2007. If this is a new projected publication date (there was no previous projected publication date), the application has been cleared by Licensing & Review or a secrecy order has been rescinded and the application is now in the publication queue.

If this is a revised projected publication date (one that is different from a previously communicated projected publication date), the publication date has been revised due to processing delays in the USPTO or the abandonment and subsequent revival of an application. The application is anticipated to be published on a date that is more than six weeks different from the originally-projected publication date.

More detailed publication information is available through the private side of Patent Application Information Retrieval (PAIR) System. The direct link to access PAIR is currently <http://pair.uspto.gov>. Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

Questions relating to this Notice should be directed to the Office of Patent Publication at (703) 305-8283.

PART 1 - ATTORNEY/APPLICANT COPY



2007 MAR -8 AM 11:48

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APPL NO.	FILING OR 371(c) DATE	WOOD. HERRON & EVANS ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/582,151	06/08/2006	3744	900	WUE-59	17	1

CONFIRMATION NO. 8838

## FILING RECEIPT



\*OC000000022527699\*

Thomas J. Burger  
 Woods Herron & Evans  
 2700 Carew Tower  
 441 Vine Street  
 Cincinnati, OH 45202-2917

Date Mailed: 03/05/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Alexander Solntsev, Hamburg, GERMANY;  
 Holger Baimmann, Buxtehude, GERMANY;

## Power of Attorney: None

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/14845 12/30/2004

## Foreign Applications

GERMANY 10361657.8 12/30/2003

If Required, Foreign Filing License Granted: 02/15/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/582,151**

Projected Publication Date: 05/24/2007

Non-Publication Request: No

Early Publication Request: No

**Title**

Cooling air supply for the cooling of different systems requiring cooling air in an aircraft

**Preliminary Class**

062

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.



This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).